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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,975	03/16/2004	Robert S. Biscup	MEDR 2 00001	2554
27885	7590	10/17/2008		
FAY SHARPE LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			EXAMINER RAMANA, ANURADHA	
			ART UNIT	PAPER NUMBER
			3775	
			MAIL DATE	DELIVERY MODE
			10/17/2008 PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10801975	3/16/2004	BISCUP ET AL.	MEDR 2 00001

FAY SHARPE LLP  
1100 SUPERIOR AVENUE, SEVENTH FLOOR  
CLEVELAND, OH 44114

## EXAMINER

Anu Ramana

ART UNIT	PAPER
3775	20081014

DATE MAILED:

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## Commissioner for Patents

The reply filed on June 17, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s). Claims 2, 78 and 80 attempt to introduce new matter. In claim 2, the limitation "a majority of said substantially spherical or ellipsoidal body.." is deemed to be new matter. In claims 78 and 80, the limitation, "said non-expandable component substantially retains its same [sic] and form" is deemed to be new matter. Further, previously withdrawn claims 46 and 47 have incorrect status identifiers. It is also noted that in claims 78 and 80, "same" should be "shape." Appropriate correction is required. See 37 CFR 1.111 and 35 USC 132. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

October 14, 2008

/Anu Ramana/  
Primary Examiner, Art Unit 3775